

Application for Department of Defense Excess Equipment

INSTRUCTIONS:

Complete the information on the application face sheet.

Complete the equipment and supply request page (s) of the application

Provide a written request for the proposed property. On plain white paper define the problem you will be attempting to impact with the property requested and provide a written justification of all items requested.

Authorized Official sign the Memorandum Of Understanding.

The completed application should be signed by the Chief / Sheriff or Department Director and returned to: Missouri Department of Public Safety, P.O. Box 749, Jefferson City, MO 65102. Attn: Ralph Lindsey.

APPLICANT ORGANIZATION		SIZE OF DEPARTMENT		
AGENCY	FULL TIME SWORN OFFICERS _____		FULL TIME TACTICAL OFFICERS _____	FULL TIME NARCOTIC OFFICERS _____
ADDRESS	AGENCY PHONE # ())		AGENCY FAX # ())	
CITY STATE ZIP	TYPE OF AREA ____ STATEWIDE ____ REGIONAL ____ LOCAL			
PROPERTY ACCOUNTABLE OFFICER				
NAME		<p style="text-align: center;">TRANSFER OF EXCESS PERSONAL PROPERTY:</p> <p>This equipment is excess to the needs of D.O.D and is hereby transferred to your agency in support of your law enforcement mission, subject to the following provisions:</p> <p>A. It is provided "as is" with no guarantees or warranties (explicit or implied). Any repair, maintenance, insurance or other expenses associated with these items is the sole responsibility of your agency.</p> <p>B. When this equipment is no longer needed, disposal will be accomplished according to applicable laws governing this program.</p>		
TITLE	PHONE			
ADDRESS				
CITY STATE ZIP				
AUTHORIZED OFFICIAL (Chief, Sheriff or Dept. Dir.)		The authorized official signature certifies that any equipment received will be used for law enforcement purposes.		
NAME		AGENCY ORI _____		
ADDRESS		AUTHORIZED OFFICAL SIGNATURE		
CITY STATE ZIP	TITLE		DATE	

SUPPLIES AND EQUIPMENT REQUESTED

INSTRUCTIONS:

List the number of items of each type of property being requested.

Describe each type of property in terms of size, capability, etc., under the description column.

AGENCY NAME

NUMBER OF ITEMS

DESCRIPTION OF PROPERTY

**MEMORANDUM OF UNDERSTANDING
FOR PARTICIPATION IN THE
DEPARTMENT OF DEFENSE EXCESS PROPERTY PROGRAM
(1033 PROGRAM)**

PURPOSE:

The purpose of this document is to set forth the terms and conditions which will be binding on the parties with respect to excess Department of Defense (DOD) personal property which is transferred pursuant to 10 U.S.C. §2576a and to promote the efficient and expeditious transfer of the property.

AUTHORITY:

The Secretary of Defense is authorized by 10 U.S.C. §2576a to transfer to Federal and State Agencies, personal property that is excess to the needs of the DOD and that the Secretary determines is suitable to be used by such agencies in law enforcement activities, with emphasis on counterdrug/counterterrorism activities, under such terms prescribed by the Secretary. The authorities granted to the Secretary of Defense have been delegated to the Defense Logistics Agency (DLA).

TERMS AND CONDITIONS:

- **Law Enforcement Agency (LEA) Eligibility Criteria:** Must be a "law enforcement activity" whose primary function is enforcement of applicable Federal, State and local laws as defined by the DLA regulation (this is referring to DLA Directive (DLAD) 4160.10 which will be superceded by the One Book) and whose compensated officers have powers of arrest and apprehension.
- **How to Enroll in the State 1033 Program:** LEA must request enrollment via their State Coordinator. LEAs must provide a completed data sheet to their State Coordinator. NOTE: Upon request of the Law Enforcement Support Office (LESO), a mission statement may need to be provided along with the data sheet. If the enrollment request is approved by the State Coordinator, it will be forwarded to the LESO. If approved by LESO, the State Coordinator will be contacted and provided with a LEA screener's authorization memo (Authorization Letter for Property Screening and Receiving). Once enrolled, the LEA must sign a Memorandum of Understanding (MOU) with the State Coordinator agreeing to the terms and conditions of the 1033 Program. As soon as an agency is properly enrolled, materials may be screened manually at a Defense Reutilization and Marketing Office (DRMO), however, the State Coordinator must provide the LEA with their LEA identification (1D) number so they may screen and request materials using automation.

- **LEA Screener Criteria:** Must be full-time and/or part-time, sworn and/or non-sworn officers assigned to the LEA performing this duty. LEAs are allowed a maximum of two (2) screeners per agency. A maximum of two of the authorized screeners may physically screen at any DRMO at one time.
- **Identification/Acquisition/Transportation of Property:** LEAs find needed property electronically through the Defense Reutilization and Marketing Service (DRMS) website: <https://wex.drms.dla.mil> or by physically visiting the nearest DRMO. Once property has been identified, LEAs submit a manual or electronic DRMS Form 103 to the State Coordinator. The State Coordinator approves/disapproves the request. If approved, it is sent to the LESO. If approved by the LESO it goes to the Military Standard Requisitioning and Issue Procedures or a manual DD Form 1348 is sent to the State Coordinator. It is the responsibility of the State/LEA to transport requested property from the DRMOs to their location. DLA will not fund the transportation cost.
- **Storage of Property:** Unless the State is authorized as a distribution center, it will be the gaining LEA responsibility to store property received through the 1033 Program. Distribution centers should only hold property for their specific customers not more than ninety days. After that date, disposition should be requested, in writing, from the LESO, via their State Coordinator.
- **Distribution of Property:** LESO will approve property request in the following priority: counterdrug/counterterrorism and then any other law enforcement activities.
- **Security of Property:** It is the responsibility of the gaining State/LEA to safeguard all property received through the 1033 Program. Should any property become lost due to theft, destruction or unauthorized sale/disposal, this information must be forwarded to the State Coordinator within seven working days after the incident. The State Coordinator will contact the LESO for additional guidance.
- **Accountability of Property:** The State and each LEA must maintain records for all property acquired through the 1033 Program. These records must provide an "audit trail" for individual items of property from receipt to distribution. These documents include but are not limited to the following: DRMS Form 103 with all justifications or printouts of automated requests, DD Form 1348 (receipt and turn-in), all disposal and transfer paperwork, approved Bureau of Alcohol,

Tobacco and Firearms (ATE) Form 10s, Certificate of Aircraft Registration (AC Form 8050-3), Aircraft Registration Application (AC-Form 8050-1) and any pertinent paperwork through the LESO. The records maintained must also satisfy any and all pertinent requirements under its applicable State statutes and regulations for the program and this property.

- **Establish Inactive File:** As of October 1, 2003, the LESO will institute a five- year file retention policy. This policy will state that LESO will maintain active files for two years and inactive files for three years. After five years, the files are destroyed with the exception of DEMIL code B through Q, sensitive items and \$20,000 or more high dollar items.
- **Utilization of Property:** Property received through the 1033 Program must be placed into use within one year of receipt and utilized for a minimum of two years, unless the condition renders it unusable. If property is not placed in use within one year of receipt, it must be transferred to another authorized agency, or returned to a DRMO. Property returns/turn-ins must be coordinated through the applicable State Coordinator and LESO.
- **Transfer of Property:** LEAs must coordinate, in writing, transfer of 1033 property through their State Coordinator. The State Coordinator will request final approval from the LESO. Property may be transferred within the State or between States as long as it is properly coordinated with the State Coordinator and LESO. If approved a "LESO transfer approval memo" will be sent to the State Coordinator. For more information regarding these items, view the following links:
<http://viw-w.demil.osd.mil> Defense Demilitarization and Trade Security Controls Program
<http://www.dtic.mil/mctl> Military Critical Technologies List
<http://www.dims.dla.mil/dnns/internal/demil/CriticalBuzzKeyPt.ndf> Critical Federal Supply Class and Buzzwords
<http://w-ww.dniis.dla.mil/dnns/intemal/demil/FSCAP.pdf> Flight Safety Critical Aircraft Parts (FSCAP)
- **Disposal of Property:** LEAs must request approval, in writing; from their State Coordinator before any 1033 property is disposed. The State Coordinator will request final approval from the LESO. If approved a "LESO disposal approval memo" will be sent to the State Coordinator. Only DEMIL codes A, B and Q may be approved for disposal. Items with DEMIL codes of C, D, E, F, G and P must be transferred to an authorized agency or must be returned to a DRMO when no longer needed. Costs incurred for transfers, disposals or turn-ins will be borne by the State/LEA.

- o **DEMIL code A:** does not require demilitarization and may be disposed after obtaining State Coordinator and LESO approval.
- o **DEMIL code B:** does not require demilitarization and may be disposed or returned to a DRMO. If disposed, it must be in accordance with Trade Security Controls (TSC) (see DOD 4160.21-M, Defense Material Disposition Manual; DOD 4160.21-M-1, Defense Demilitarization Manual; DBMS-14160.14, Volume V11).
- o **DEMIL code Q:** does not require demilitarization and may be disposed or returned to a DRMO. If disposed, it must be in accordance with Commerce Control List Items (CCLI) disposition requirements (see DOD 4160.21-M, Defense Material Disposition

Manual; DOD 4160.21-M-1, Defense Demilitarization Manual; DBMS-I 4160.14, Volume VII).

- Specific Requirements for disposal of Munitions Lists Items (MLI)/CCLI (DEMIL codes B and Q) excerpt from DOD 4160.21-M:
 - Before disposing of MLI/CCLI property, Federal and State agencies must consider the export control requirements as promulgated by the Department of State, Department of Commerce and the Treasury Department, as applicable. Disposal methods shall ensure that appropriate safeguard requirements are in place prior to disposal. These will include, but are not limited to:
 - Notification of export control requirements to the end-user;
 - Exclusion of individuals, entities or countries who are excluded from Federal programs by the General Services Administration;
 - Exclusion if delinquent on obligations to the U.S. Government or are debarred or suspended from DOD contracts;
 - Exclusion if currently suspended for TSC violations;
 - Exclusion if subject to denial, debarment or other sanctions under public law
- o **DEMIL codes C, D, E, F, G and P:** require demilitarization and must be returned to a DRMO. The State Coordinator must obtain the LESOs approval for equipment returns.
 - LESO will provide turn-in documentation (DD Form 1348-1A). With few exceptions, the State/LEA will be asked to coordinate the turn-in with a local DRMO. The State/LEA informs LESO which DRMO has agreed to accept the turn-in. LESO will then provide

turn-in documentation to the accepting DRMO. Upon receipt of the turn-in documentation, the LEA must return the property to the specified DRMO. The DRMO personnel receiving the materials will sign the turn-in document and give the LEA a copy of the signed receipt paperwork. This receipt paperwork must be maintained in the LEA's files and a copy of the receipt must be forwarded to the State Coordinator for their files. (see DOD 4160.21-M, Defense Material Disposition Manual; DOD 4160.21-M-1, Defense Demilitarization Manual; DRMS-I 4160.14, Volume VII for DEMIL rules).

- **Training:** The State Coordinator, his/her staff and LEAs should be trained/familiar with guidance on the following websites:
 - ABCs of DEMIL www.hr.dla.mil/dtc/coursecatalog/-/PD/abedmil.htm (knowledge of demilitarization codes)
 - DLA Operations www.dla.mil (DLA handbook)
 - LESO Operations www.dla.mil/j-3/leso (1033 Program/Automation training guides)
 - DRMS Operations www.drms.dla.mil (automation requisitioning process/procedures)

THE STATE WILL:

- a. Receive applications for participation in this program from its law enforcement activities and validate with signature, their law enforcement mission prior to forwarding to LESO for approval as an authorized LEA. Once the approval process is completed and the agency is loaded in the DRMS automated requisitioning system, provide enrolled LEAs with their LEA ID number so they may request materials on-line.
- b. Forward requests to LESO for excess property that is necessary to meet requirements for LEA efforts. Assure the recipient LEA is identified on all requisitions.
- c. Control and maintain accurate records on all property obtained under this plan. These records must provide an "audit trail" for individual items of property from receipt to distribution. These documents include but are not limited to the following: DRMS Form 103 with all justifications or printouts of automated requests, DD Form 1348 (receipt and turn-in), all disposal and transfer paperwork, approved ATF Form 10s, Certificate of Aircraft Registration (AC Form 8050-3), Aircraft Registration Application (AC Form 80501) and any pertinent paperwork through the LESO. The records maintained must also satisfy any and all pertinent requirements under its applicable State statutes and regulations for the program and this property.

- d. Assure that all environmentally regulated property is handled, stored and disposed of in accordance with applicable Federal, State and local environmental laws and regulations.
- e. Assure that the following weapons are registered with the U.S. Treasury Department's ATF: M14, M16, M21 and M79. The State and each LEA must comply with all applicable firearm laws and regulations. Report all stolen or unaccounted for weapons to the DLA, LESO not later than seven working days after it is discovered. The State Coordinator must provide a weapon POC on all LEA data sheets. All weapon transfers between LEAs must be approved by the LESO before it is completed. Maintain an approved copy of the ATF Form 10 for all M14, M16, M21 and M79 rifles issued to State/LEA.
- f. Ensure LEAs are aware of their responsibilities in accordance with the Single Audit Act of 1984, as amended (31 U.S.C. 7501-7). Assist LEAs by providing information, as required, for audit submission. Assist LEAs by identifying which property oversight agency the audit information must be submitted to.
- g. Conduct periodic reviews of each LEA enrolled in the program, to include physical inventory/spot checks, of property received and any related records. Additionally, ensure LEAs are in compliance with applicable MOU and/or the State Plan of Operation. These reviews must be documented and maintained by the State Coordinator for future LESO compliance reviews.
- h. Provide a distribution center in Jefferson City, Missouri that will provide information technology equipment (Desktop computers, laptops, printers and etc.) as they become available in the 1033 Program to participating agencies at no charge to the receiving agency.

THE LEA WILL:

- a. Submit applications for participation in this program to the State Coordinator for approval. Upon request from the State Coordinator or LESO provide a written mission statement.
- b. Submit requests for property (electronically). Provide justification for all requisitions to the State Coordinator.
- c. Agrees to maintain, at no expense to the U.S. Government, or the State of Missouri, adequate liability and property damage insurance coverage and workmen's compensation insurance to cover any claims.

- d. Control and maintain accurate records on all property obtained under this plan. These records must provide an "audit trail" for individual items of property from receipt to distribution. These documents include but are not limited to the following: DRMS Form 103 with all justifications or printouts of automated requests, DD Form 1348 (receipt and turn-in), all disposal and transfer paperwork, approved ATF Form 10s, Certificate of Aircraft Registration (AC Form 8050-3), Aircraft Registration Application (AC-Form 80501) and any pertinent paperwork through the LESO. The records maintained must also satisfy any and all pertinent requirements under its applicable State statutes and regulations for the program and this property.
- e. Comply with the terms, conditions and limitations applicable to property transferred pursuant to this plan/program.
- f. Allow a maximum of two (2) screeners, full-time and/or part-time, sworn and/or non-sworn officers, per LEA performing this duty. The screeners must be named in a "letter of authorization/datasheet" provided to the LESO, to be updated as changes occur or whenever LESO requests an update. A weapons POC fulltime officer must be included on the "letter of authorization/datasheet" for any LEAs that have received or are requesting weapons. NOTE: A maximum of two of the authorized screeners may physically screen at any DRMO at one time. Appoint a property accountable officer responsible for approving/disapproving all property requests and maintaining all accountable records for property received.
- g. Assure that all environmentally regulated property handled, stored and disposed of in accordance with applicable Federal, State and local environmental laws and regulations.
- h. Assure that the following weapons are registered with the U.S. Treasury Department's ATE: M14, M16, M21 and M79. Recipients must comply with all applicable firearm laws and regulations. Report all stolen or unaccounted for weapons to LESO through the State Coordinator not later than seven working days after the incident has occurred. The LEA must provide a weapon POC on all data sheets. All weapon transfers between LEAs must be approved by the LESO before it is completed. LEA must maintain an approved copy of the ATF Form 10 for all M14, M16, M21 and M79 rifles received.
- i. Identify to State Coordinator/LESO each request that will be used in counterdrug/counterterrorism activities.

- j. LEAs enrolled in the State 1033 Program must maintain a copy of the State Plan of Operation and/or MOU.
- k. LEAs must be aware of their responsibilities under the Single Audit Act of 1984, as amended (31 U.S.C. 7501-7).
- 1. Conduct periodic reviews to include physical inventory/spot checks of actual property and related records. Ensure compliance with applicable MOU and/or the State Plan of Operation.
- m. Obtain reconciliation reports from the State Coordinator and conduct monthly, quarterly and annual reconciliations. Provide reconciliation results to the State Coordinator.
- n. Ensure serial/tail numbers are provided to the State Coordinator on items such as Peacekeepers/APCs, aircraft, NVGs/NVSs and weapons.
- o. Conduct inventory reconciliations and provide inventory reconciliation results electronically to the State Coordinator within ten working days of the monthly, quarterly or annual reconciliation process. Maintain a signed copy of all property reconciliation documentation received through the 1033 Program.
- p. Submit requests for property returns (turn-ins to a DRMO) to the State Coordinator. NOTE: Costs of shipping or repossession of the property by the U.S. Government will be borne by the LEA.
- q. Submit disposal, transfer and inventory adjustment requests to the State Coordinator prior to property disposal or transfer.
- r. Contact the State Coordinator, in writing, not later than thirty days prior, when the authorized official or property accountable officer changes.

Authorized Official Signature

Title

Date

Printed Name

State Coordinator Signature/SPOC

Title

Date

Printed Name

**LAW ENFORCEMENT AGENCY
DATA SHEET
FEDERAL / STATE**

DATE: _____

LEA: _____ Email: _____

STREET: _____

CITY: _____ STATE: _____ ZIP: _____

NUMBER OF FULL TIME SWORN OFFICERS : _____

NUMBER OF FULL TIME SWORN NARCOTIC OFFICERS: _____

NUMBER OF FULL TIME SWORN TACTICAL OFFICERS : _____

**SCREENERS MUST BE AUTHORIZED BY THE GOVERNOR APPOINTED
STATE COORDINATOR**

SCREENER#1: _____
RANK NAME

SCREENER#2: _____
RANK NAME

PHONE: _____ FAX: _____

(FOR STATE / LOCAL AGENCIES ONLY)

CHIEF EXECUTIVE OFFICIAL SIGNATURE : _____

STATE COORDINATOR SIGNATURE : _____

(FOR FEDERAL AGENCY ONLY)

HEAD OF AGENCY SIGNATURE : _____

NOTE: THIS FORM MUST BE FILLED OUT ANNUALLY OR AS CHANGES OCCUR BY THE LEA.

CHANGED AS OF SEPT. 22, 1999